

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**TOREY C. SMITH**

**PLAINTIFF**

**vs.**

**CIVIL ACTION No. 3:19-CV-407-HTW-LGI**

**UNITED STATES MARSHALS  
SERVICE, UNITED STATES OF AMERICA, DEFENDANTS**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

BEFORE THIS COURT is the Report and Recommendation of the United States Magistrate Judge LaKeysha Greer Isaac [**doc. no. 12**]. Magistrate Judge Isaac recommends that this case be dismissed without prejudice, for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). Plaintiff was ordered to show cause as to why his claim should not be dismissed pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Plaintiff did not comply. This matter has remained dormant on the court's docket for over a year

Plaintiff was notified of his right to file written objections to this report and recommendation within fourteen days. Well over fourteen days has passed since Plaintiff was mailed a copy of the Report and Recommendation of the Magistrate Judge, and no objections have been filed.

This Court concludes that the findings in the Report and Recommendation [**doc. no. 12**] should be and are hereby **adopted** as this Court's own. Accordingly, this court dismisses this cause, without prejudice.

**SO ORDERED AND ADJUDGED**, this the 15th day of July, 2021.

s/ HENRY T. WINGATE  
UNITED STATES DISTRICT COURT JUDGE